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PATENT

Case Docket No. MERCURY.140A2
Date: February 8, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Fraenkel, et al.

I hereby certify that this correspondence and all
marked attachments are being deposited with the
United States Postal Service as first class mail in
an envelope addressed to: Assistant Commissioner
for Patents, Washington, D.C. 20231, on

Appl. No. : 10/057,295

February 8, 2002

(Date)

Filed : October 19, 2001

Ronald J. Schoenbaum, Reg. No. 38297

For : POST-DEPLOYMENT
MONITORING AND
ANALYSIS OF SERVER
PERFORMANCE

Examiner : UNKNOWN

Group Art Unit : UNKNOWN

TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

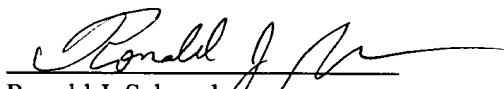
ATTENTION: APPLICATION BRANCH

Dear Sir:

Enclosed for filing in the above-identified application are the following documents:

- An Information Disclosure Statement;
- A PTO Form 1449 listing sixteen (16) references, copies of which are enclosed; and
- A return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.


Ronald J. Schoenbaum
Registration No. 38297
Attorney of Record

MERCURY.140A2



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Fraenkel, et al.) Group Art Unit UNKNOWN
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		PERFORMANCE)
)
Examiner	:	UNKNOWN)

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed is form PTO-1449 listing sixteen (16) references that are also enclosed. This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2-8-02

By: Ronald J. Schoenbaum

Ronald J. Schoenbaum
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Attorney of Record
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(949) 760-0404

FORM PTO-1449 <i>O I P E</i> INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>FEB 15 2002</i> <i>(USE SEVERAL SHEETS IF NECESSARY)</i>	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. MERCURY.140A2	APPLICATION NO. 10/057,295
		APPLICANTS Fraenkel, et al.	
		FILING DATE October 19, 2001	GROUP ART UNIT UNKNOWN

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	5,446,874	08/29/95	Waclawsky, et al.			
	5,544,310	08/06/96	Forman, et al.			
	5,742,754	04/21/98	Tse			
	5,781,703	07/14/98	Desai, et al.			
	5,787,254	07/28/98	Maddalozzo, Jr., et al.			
	5,812,780	09/22/98	Chen, et al.			
	5,864,662	01/26/99	Brownmiller, et al.			
	5,905,868	05/18/99	Baghai, et al.			
	6,006,260	12/21/99	Barrick, Jr., et al.			
	6,108,700	08/22/00	Maccabee, et al.			
	6,138,157	10/24/00	Welter, et al.			
	US 6,205,413 B1	03/20/01	Bisdikian, et al.			

FOREIGN PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	V. Mainkar, "Availability Analysis of Transaction Processing Systems based on User-Perceived Performance," The 16 th Symposium on Reliable Distributed Systems, IEEE Computer Society, 1997, pp. 10-17.
	N. Randall, PC Magazine, "Web Site Analysis Tools The Results Are In," dated March 10, 1998, pages 189 – 210.
	Article by Patrick Killelea, dated January 15, 1999, titled "Web Performance Measuring Tools and Services," printed from Webreview.com site.
	LoadRunner Controller User's Guide – Windows Version 6.0, pages 1-49, 278-344, and 558, (dated 1999).

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EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	